



INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-511 and 731-TA-1246-1247 (Preliminary)

CERTAIN CRYSTALLINE SILICON PHOTOVOLTAIC PRODUCTS FROM CHINA AND TAIWAN

DETERMINATIONS

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines,² pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. §§ 1671b(a) and 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China and Taiwan of certain crystalline silicon photovoltaic products, provided for in subheadings 8541.40.60 (statistical reporting numbers 8541.40.6020 and 8541.40.6030) of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and are allegedly subsidized by the Government of China.

COMMENCEMENT OF FINAL PHASE INVESTIGATIONS

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in section 207.21 of the Commission’s rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) or 735(a) of the

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR § 207.2(f)).

² Commissioners Shara L. Aranoff and F. Scott Kieff are recused from these investigations.

Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

BACKGROUND

On December 31, 2013, a petition was filed with the Commission and Commerce by SolarWorld Industries America, Hillsboro, Oregon, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV and subsidized imports of certain crystalline silicon photovoltaic products from China and LTFV imports of certain crystalline silicon photovoltaic products from China and Taiwan. Accordingly, effective December 31, 2013, the Commission instituted countervailing duty investigation No. 701-TA-511 and antidumping duty investigation Nos. 731-TA-1246-1247 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of January 8, 2014 (79 FR 1388). The conference was held in Washington, DC, on January 22, 2014, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary

of Commerce on February 26, 2014.³ The views of the Commission are contained in USITC Publication 4454 (February 2014), entitled *Certain Crystalline Silicon Photovoltaic Products from China and Taiwan, Inv. Nos. 701-TA-511 and 731-TA-1246-1247 (Preliminary)*.

By order of the Commission.

Lisa R. Barton
Acting Secretary to the Commission

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³ The Commission has the authority to toll statutory deadlines during a period when the government is closed. Because the Commission was closed on January 21, 2014 and February 13, 2014 due to inclement weather in Washington, DC, the statutory deadlines reflect the tolling of deadlines by two days.